



U.S. House of Representatives
Committee on Transportation and Infrastructure

James L. Oberstar
Chairman

Washington, DC 20515
July 16, 2009

John L. Alica
Ranking Republican Member

David Heymsfeld, Chief of Staff
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

The Honorable David R. Obey
Chairman
Committee on Appropriations
H-218, The Capitol
Washington, DC 20515

The Honorable Jerry Lewis
Ranking Member
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

The Honorable John W. Olver
Chairman
Subcommittee on Transportation,
Housing and Urban Development,
and Related Agencies
2358-A Rayburn House Office Building
Washington, DC 20515

The Honorable Tom Latham
Ranking Member
Subcommittee on Transportation
Housing and Urban Development,
and Related Agencies
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairman Obey, Ranking Member Lewis, Chairman Olver, and Ranking Member Latham:

We write to express our strong opposition to the inclusion in H.R. _____, the "Transportation, Housing and Urban Development Appropriations Act, 2010", of any provision that provides the Commonwealth of Virginia a waiver from 23 U.S.C. §111.

Section 111 prohibits commercialization of safety rest areas within the rights-of-way of the Interstate System. Providing Virginia a waiver from this long-standing provision of law would enable Virginia to privatize its safety rest areas. This privatization could affect the availability of private truck parking facilities along these Interstate routes and negatively impact area local communities and small businesses. Any loss of private truck parking facilities could also directly impact highway safety.

Although Virginia portrays this amendment as a targeted solution to its fiscal crisis, the amendment has broad economic and safety policy impacts and should not be included in the THUD Appropriations bill. In addition, press reports quoting the Honorable Pierce R. Homer, the Virginia Secretary of Transportation, indicate that the Virginia Department of Transportation has sought this change to Federal law to allow privatization of safety rest areas for several years. Thus, the adoption of this amendment in the THUD Appropriations bill would have impacts well beyond the Commonwealth, and would establish a precedent for other States seeking to privatize safety rest areas.

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For these reasons, we strongly oppose inclusion of this amendment in the THUD Appropriations bill. This legislative policy change is more appropriately considered by the Committee on Transportation and Infrastructure in H.R. ____, the "Surface Transportation Authorization Act of 2009", which we expect to bring to the Floor this fall.

Thank you for your attention to our concerns.

Sincerely,



James L. Oberstar, M.C.
Chairman



Peter A. DeFazio, M.C.
Chairman
Subcommittee on Highways and Transit